

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MITCHEL D. ABRAHAM,

Defendant.

8:21CR33

MOTION FOR PROTECTIVE ORDER

COMES NOW, the United States of America, by and through the undersigned Assistant United States Attorney, and pursuant to Rule 16(d)(1), of the Federal Rules of Criminal Procedure, respectfully requests this Court enter a protective order, restricting disclosure of discovery materials provided to counsel for the Mitchel D. Abraham, Defendant herein. In support of the motion, the undersigned states:

1. The Defendant was charged by Indictment on January 27, 2021 with one (1) count of Transportation of a Minor With Intent to Engage In Criminal Sexual Activity, in violation of Title 18, United States Code, Section 2423(a).

2. Upon execution and approval by the Court of this Motion, the Government will provide for review to Defendant's counsel copies of physical evidence and other Rule 16(a) materials gathered during the investigation by whatever means, including by search warrant, grand jury subpoena, other legal process, or consent. The discovery in this case includes computer files and documents that contain personal identifying information (PII), including names, addresses, telephone numbers, account numbers, social security numbers, dates of birth, and other data that, if disclosed, creates a risk to the legitimate owner of that information. The government intends

to introduce a portion of these files and/or documents in its case-in-chief at trial.

3. In order to comply with the Court's Progression Orders (Filing No. 15) in a timely manner, the government intends to turn over documents and electronic files containing the PII and other data which is private in nature and contained within the materials that has not been redacted or edited to be removed from all materials.

4. To preserve the confidential nature of the materials and to prevent unauthorized disclosure of the PII and other private information contained within the discovery materials, the undersigned respectfully requests this Court enter an order prohibiting disclosure of the materials and their contents to anyone other than the Defendant and his counsel, and prohibiting the Defendant from retaining or making copies of the materials provided as discovery materials.

5. Counsel for Defendant does not object to this motion.

WHEREFORE, Plaintiff respectfully requests this Court enter a protective order restricting disclosure of the discovery materials provided to defense counsel.

DATED this 2nd day of February, 2021.

UNITED STATES OF AMERICA, Plaintiff

JOSEPH P. KELLY
United States Attorney
District of Nebraska

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CERTIFICATE OF SERVICE

I hereby certify that on February 2, 2021, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which sent notification of such filing to all registered participants. I also hereby certify that a copy of the same was served by regular mail, postage prepaid, to the following non-CM/ECF participants: None.

s/ Donald J. Kleine
Assistant U.S. Attorney